

**United States Court of Appeals  
For the First Circuit**

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No. 06-1553

UNITED STATES

Appellee

v.

VIRGILIO JIMENEZ, a/k/a Moises Reyes

Defendant - Appellant

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**ORDER OF COURT**

Entered: June 20, 2006  
Pursuant to 1<sup>st</sup> Cir. R. 27(d)

Treating appellant's financial affidavit, with attached prison trust account statement, as a motion to proceed on appeal in forma pauperis ("IFP"), we transmit said request to the district court for action in the first instance pursuant to Fed. R. App. P. 24(a)(1). Copies of the district court's ruling shall be forwarded to this court. The district court, if it denies the motion, is requested to state its reasons in writing. Fed. R. App. P. 24(a)(2). If appellant is not granted IFP status by the district court, he may file a motion to proceed IFP in this court, provided that he do so in accordance with Fed. R. App. P. 24(a)(5).

By the Court:

Richard Cushing Donovan, Clerk

**MARGARET CARTER**

By: \_\_\_\_\_  
Chief Deputy Clerk

CERTIFIED COPY

I HEREBY CERTIFY THIS DOCUMENT  
IS A TRUE AND CORRECT COPY OF  
THE ORIGINAL ON FILE IN MY OFFICE  
AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS  
BOSTON, MA

By: J. Calabrese Date: 6-20-06

[Certified copies to Honorable Ernest C. Torres, David DiMarzio, Clerk]

[cc: Martin D. Harris, Esq., Stephanie Brown, AUSA, Stephen G. Dambruch, AUSA,  
Donald Lockhart, AUSA]